

Application Number 	Application/Control No. 09/816,838	Applicant(s)/Patent under Reexamination STUMER ET AL.

Document Code - DISQ

Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : February 10, 2006	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Henry D. Jefferson



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stumer

Group Art Unit: 2643

Serial No.: 09/816,838

Examiner: Ramakrishnaiah, Melur

Filed: March 23, 2001

Atty Dkt No.: 2001P05291US02

For: Methods and Apparatus for Transmitting
Accurate Emergency Location Identification Numbers

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: February 8, 2006

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321

Sir:

Identity of Assignee

The petitioner, **Siemens Communications, Inc.**, a Delaware Corporation having a business address at 900 Broken Sound Parkway, Boca Raton, FL 33487, is the owner of the entire interest in the above-identified application by virtue of an assignment from the inventor dated June 22, 2001 and a Certificate of Merger executed on September 22, 2004..

Identification of Person(s) Making This Disclaimer

The undersigned disclaimant is Intellectual Property Counsel of assignee Siemens Communications, Inc. and is authorized to sign on behalf of the assignee as identified above.

Extent of Interest

The extent of assignee's interest is in the whole of this invention.

Declaration Under 37 C.F.R. §3.73(b)

I, the undersigned, have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

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Disclaimer

The petitioner, through the undersigned, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, of any patent granted from United States Patent Application No. 09/816,823, filed March 23, 2001; issued as US Patent No. 6,724,860; United States Patent Application No. 09/816,843, filed March 23, 2001; issued as US Patent No. 6,757,359 and United States Patent Application No. 09/816,830, filed March 23, 2001; issued as US Patent No. 6,744,857. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and patents issuing from the other three applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of the other three applications, as presently shortened by any terminal disclaimer, in the event that any later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Fee Status

(37 C.F.R. §1.20(d) and 37 C.F.R. §1.321)
 other than a small entity--fee \$130.00

Fee Payment

Charge Account 19-2179 the sum of \$ 130.00.
A duplicate copy of this disclaimer is attached.
 Attached is a check in the sum of \$ _____.
 Charge Account 19-2179 for any fee deficiency required by this paper.

Respectfully submitted,
Siemens Corporation

Francis G. Montgomery
Francis G. Montgomery
Registration No.: 41,202

Intellectual Property Counsel
Title

Siemens Corporation
Intellectual Property Department
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Iselin, NJ 08830
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T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	24-Feb-06	APPL. S. N.:	09816838
To Examiner:	RAMAKRISHNAIAH, ME	Art Unit	2643
From	Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68

SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,

please initial, date and return this memo to me. THANK YOU.

The T.D. is PROPER and has been recorded (see 14.23).

The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):

- The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account
- The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
- The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
- The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
- The person who signed the T.D.:
 - is not an attorney "of record" (see 14.29 and 14.29.01).
 - has failed to state his/her capacity to sign for the business entity (see 14.28).
 - is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
- No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
- The T.D. is not signed (see 14.26 & 14.26.03).
- The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
- The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
- The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
- Other: ▲
▼
- Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex.Initials: _____ Date: _____

Log Date: